

AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 18, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-16475 - APPLICANT: SAM HAMIKA - OWNER: DI
PROPERTIES, INC.**

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Extension of Time will expire on February 4, 2008 unless another Extension of Time is approved by the Planning Commission.
2. Conformance to the Conditions of Approval for Rezoning (ZON-3371) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Rezoning (ZON-3371) from C-V (Civic) to C-1 (Limited Commercial) on 4.76 acres adjacent to the northwest corner of Bonanza Road and Mojave Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/04/04	The City Council approved a General Plan Amendment (GPA-3370) to amend a portion of the Southeast Sector Plan of the General Plan from PF (Public Facilities) to SC (Service Commercial; Rezoning (ZON-3371) from C-V (Civic) Zone to C-1 (Limited Commercial) Zone; and a Site Development Plan Review (SDR-3372) for a proposed 43,349 square foot retail center and Waivers to allow a 10-foot rear yard setback where 20 feet is the minimum setback required, two loading zones where three are required, and a 10-foot wide loading zone where 15 feet is required on 4.76 acres adjacent to the northwest corner of Bonanza and Mojave Road. The Planning Commission and staff recommended approval on 01/08/04.
<i>Related Building Permits/Business Licenses</i>	
	No building permits have been issued on the subject site.
<i>Pre-Application Meeting</i>	
	A pre-application meeting is not required for this type of application.
<i>Neighborhood Meeting</i>	
	A neighborhood meeting is not required for this type of application.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.76 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	C-V (Civic) Zone under Resolution of Intent to C-1 (Limited Commercial)
North	City of Las Vegas Fire Station/Training Center	PF (Public Facilities)	C-V (Civic)
South	Multi-Family Housing/Mini-Mart	M (Medium Density Residential)/SC (Service Commercial)	C-1 (Limited Commercial)/R-3 (Medium Density Residential)
East	City of Las Vegas Maintenance Storage	PF (Public Facilities)	C-V (Civic)
West	Multi-Family Housing	M (Industrial)	R-3 (Medium Density Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

There are no Special Districts/Zones/Special Plan Areas that affect the subject site.

ANALYSIS

This is the first Extension of Time for the subject Rezoning (ZON-3371), which was approved by the City Council on 02/04/04. There was an associated General Plan Amendment (GPA-3370) and a Site Development Plan Review (SDR-3372) also approved. The applicant indicates that there are delays in the design process. No plans have been submitted to the City to review. Therefore, the Extension of Time can be supported to allow for additional time due to delays in the design process.

Previous Conditions of Approval from Rezoning (ZON-3371)

1. A General Plan Amendment (GPA-3370) to a SC (Service Commercial) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.

3. A Site Development Plan Review application (SDR-3372) approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
4. A Parcel Map to establish property boundaries as proposed, shall be recorded prior to the issuance of any permits for this site.
5. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for or the recordation of a Map subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed C-1 (Limited Commercial) zoning is consistent with the SC (Service Commercial) land use designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed SC (Service Commercial) land use designation would allow the C-1 (Limited Commercial) zoning district. This zoning district would be compatible with the surrounding zoning districts in the area if appropriate buffering were provided.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The City of Las Vegas Master Plan 2020 specifies as Objective 2.6 (page 46): “To improve the amount and quality of infill development on vacant and underutilized lands within established areas of the city.” Commercial development on the subject site will meet this objective.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

Access to this site is provided by Bonanza Road and by Mojave Road (both Primary 100-foot Arterials on the Master Plan of Streets and Highways). Adjacent to this parcel, Bonanza Road carries approximately 26,775 automobiles per day, with Mojave Road carrying approximately 8,550 vehicles. The proposed development of the site will be sufficiently served by existing roadway facilities.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT

N/A

SENATE DISTRICT

N/A

NOTICES MAILED

N/A

<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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